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10
11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 PAULA LABRIE, ALFREDO MACIAS,
14 PETER MILLMAN, TOM CHORTABTIM,
15 RAF SISON,

16 Plaintiffs,

17 vs.

18 UPS SUPPLY CHAIN SOLUTIONS, INC.,

19 Defendant.

20 CASE NO. 3:08-CV-03182 PJH

21 **DECLARATION OF ROBERT P.
KRISTOFF IN SUPPORT OF
DEFENDANT'S OPPOSITION TO
PLAINTIFFS' MOTION FOR
CONDITIONAL CLASS
CERTIFICATION AND NOTICE**

22 Date: March 18, 2009
23 Time: 9:00 a.m.
24 Judge: Honorable Phyllis J. Hamilton
25 Courtroom: 3, 17th Floor

1 I, Robert P. Kristoff, declare:

2 1. I am an attorney with the law firm of Paul, Hastings, Janofsky & Walker
3 LLP, the attorneys of record for Defendant UPS Supply Chain Solutions, Inc. in this action, and I
4 am admitted to practice before this Court. Except as otherwise indicated, I have personal
5 knowledge of the facts set forth in this Declaration and, if called upon to do so, could and would
6 testify competently thereto.

7 2. Attached hereto as Exhibit A are true and correct excerpts from the
8 deposition of Plaintiff Tom Chortabtim, taken on December 16, 2008.

9 3. Attached hereto as Exhibit B are true and correct excerpts from the
10 deposition of Plaintiff Alfredo Macias, taken on December 17, 2008.

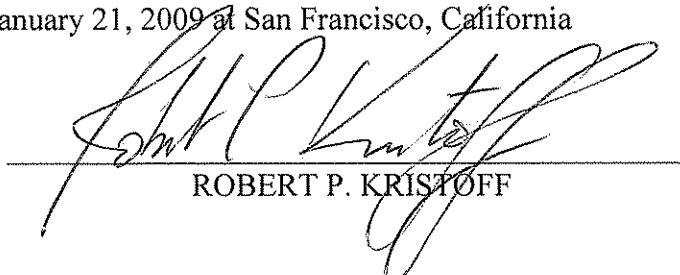
11 4. Attached hereto as Exhibit C are true and correct excerpts from the
12 deposition of Plaintiff Peter Millman, taken on December 15, 2008.

13 5. Attached hereto as Exhibit D are true and correct excerpts from the
14 deposition of Plaintiff Raf Sison, taken on December 11, 2008.

15 6. Attached hereto as Exhibit E are true and correct excerpts from the
16 deposition of Plaintiff Paula LaBrie, taken on December 9, 2008.

17 I declare under penalty of perjury under the laws of the United States that the
18 foregoing is true and correct.

19 Executed on January 21, 2009 at San Francisco, California

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21 ROBERT P. KRISTOFF